



PARLIAMENT

REPUBLIC OF TRINIDAD AND TOBAGO

SECOND SESSION OF THE ELEVENTH PARLIAMENT (2016/2017)

REPORT
OF
THE JOINT SELECT COMMITTEE
APPOINTED TO CONSIDER AND REPORT ON THE CYBERCRIME BILL, 2017

Ordered to be printed

TOGETHER WITH THE MINUTES OF PROCEEDINGS

PARL: 14/3/72

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MANDATE

1. Pursuant to resolutions of the House of Representatives on Friday May 05, 2017, and of the Senate on Tuesday May 09, 2017, a Joint Select Committee was established:

“to consider and report on the Cybercrime Bill, 2017” and to “report within eight weeks, that is to say, by June 30th, 2017”.

MEMBERSHIP OF THE COMMITTEE

2. The following persons were appointed to serve on the Committee:

- Mr. Faris Al-Rawi, MP
- Mr. Edmund Dillon, MP
- Mr. Fitzgerald Hinds, MP
- Ms. Shamfa Cudjoe, MP
- Mr. Roodal Moonilal, MP
- Mr. Barry Padarath, MP
- Mr. Clarence Rambharat
- Mr. Dennis Moses
- Mr. W. Michael Coppin¹
- Mr. Wade Mark
- Ms. Melissa Ramkissoon
- Mr. Paul Richards

CHAIRMANSHIP

3. At its First Meeting on Friday May 26, 2017, your Committee elected Mr. Faris Al-Rawi, MP to be its Chair, in accordance with House of Representatives Standing Order 97(3) and Senate Standing Order 87(3).

SECRETARIAT AND TECHNICAL SUPPORT

4. Ms. Chantal La Roche, Legal Officer II, was assigned as Secretary to the Committee and Mrs. Delrene Liverpool- Young, Legal Officer I, as Assistant Secretary.

MEETINGS

5. The Committee held one (1) meeting on Friday May 26, 2017.
6. The Minutes of the Meetings are attached at **Appendix I**.

¹ On August 24, 2017 Mr. Coppin’s seat as a Senator was declared vacant and as such he ceased to be a Member of the Committee.

WORK TO DATE

7. During preliminary discussions your Committee agreed to issue a call for submissions from the public. Written submissions/comments on the Cybercrime Bill, 2017 were requested via print media, as well as on the Parliament Channel and the Parliament's social media platforms with a deadline of June 16th, 2017. However, some submissions were received after the stipulated deadline.
8. To date, your Committee has received written submissions from:
 - The Telecommunications Authority of Trinidad and Tobago (TATT)
 - The Trinidad and Tobago Publishers and Broadcasters Association (TTPBA)
 - The Media Association of Trinidad and Tobago (MATT)
 - The Trinidad and Tobago Computer Society (TTCS)
 - American Chamber of Commerce of Trinidad and Tobago (AMCHAM TT)
 - Digicel (Trinidad & Tobago) Limited
 - Columbus Communications Trinidad Limited
 - The Trinidad and Tobago Police Service (TTPS)
 - Telecommunications Services of Trinidad and Tobago Limited (TSTT)
 - University of Trinidad and Tobago (UTT)
 - The Bankers Association of Trinidad and Tobago (BATT)
 - Fixin' T&T
 - Mr. Shiva Bissessar
 - Mr. Keshav Ramnath
 - Mr. Kwesi Prescod
 - Mr. Leslie J Charles
 - Mr. Taran Rampersad
 - Mr. Tedd Maundy
 - Mr. Andre Dickson and Dr. Karen Moore
 - Ms. Carla Bridglal
 - Mr. Murvani Ojah Maharaj
 - Ms. Esther Research
 - Mr. Seereeram Durga
 - Dr. Sheila Rampersad and Ms. Francesca Hawkins
9. Your Committee agreed that due to the number of submissions received from stakeholders and members of the public, the submissions would be tabulated with clauses of the Bill so as to facilitate proper examination of the submissions.
10. Your Committee agreed to meet after the production of the matrices, but was unable to do so as a meeting date during the mandatory period of recess could not be agreed upon.

REPORT

11. In accordance with Standing Orders 114(1) and 104(1) of the House of Representatives and the Senate, respectively, your Committee wishes to report that due to the imminent prorogation of the Second Session of the Eleventh Parliament it will be unable to complete its work.

RECOMMENDATION

12. Your Committee therefore recommends that:

- (i) the Parliament take note of the progress made by the Committee thus far;
- (ii) in the Third Session of the Eleventh Parliament that a similar Committee be appointed to complete the work begun by this Committee;
- (iii) this new Committee be empowered to adopt as part of its records the work done to date.

Respectfully Submitted,

Sgd.
Mr. Faris Al-Rawi, MP
Chairman

September 15, 2017

APPENDIX I



JOINT SELECT COMMITTEE ON THE CYBERCRIME BILL, 2017

MINUTES OF THE FIRST MEETING HELD IN THE A.N.R. ROBINSON MEETING ROOM (EAST), LEVEL 9, OFFICE OF THE PARLIAMENT, TOWER D, IWFC, #1A WRIGHTSON ROAD, PORT-OF-SPAIN ON MAY 26, 2017 AT 11: 00 A.M.

PRESENT

Mrs. Brigid Annisette-George, MP - Speaker of the House

Committee Members

Mr. Faris Al-Rawi, MP	-	Member
Mr. Edmund Dillon, MP	-	Member
Mr. Fitzgerald Hinds, MP	-	Member
Ms. Shamfa Cudjoe, MP	-	Member
Mr. Roodal Moonilal, MP	-	Member
Mr. Barry Padarath, MP	-	Member
Mr. Clarence Rambharat	-	Member
Mr. Dennis Moses	-	Member
Mr. W. Michael Coppin	-	Member
Mr. Wade Mark	-	Member
Ms. Melissa Ramkissoon	-	Member
Mr. Paul Richards	-	Member

Secretariat

Ms Chantal La Roche	-	Secretary
Ms Delrene Liverpool-Young	-	Assistant Secretary

COMMENCEMENT

1.1 The meeting was called to order by the Speaker of the House at 11:15 a.m.

ANNOUNCEMENTS

- 2.1 The Speaker informed Members that Ms Chantal La Roche would serve the Committee as Secretary, and Mrs. Delrene Liverpool- Young as Assistant Secretary.

ELECTION OF CHAIRMAN

- 3.1 The Speaker advised that her role was to facilitate the election of a Chair and she invited nominations.
- 3.2 Mr. Faris Al-Rawi was nominated by Ms. Shamfa Cudjoe. This nomination was seconded by Mr. Fitzgerald Hinds.
- 3.3 There being no further nominations, Mr. Faris Al-Rawi was declared the duly elected Chairman. The Speaker wished the Members productive and cooperative deliberations and invited Mr. Al-Rawi to take the Chair.

(The Speaker exited the meeting.)

QUORUM

- 4.1 The Committee agreed to a quorum of five (5) persons, inclusive of the Chair, with representation from each House.

DISCUSSIONS ON THE WAY FORWARD

Submissions from the Public and Stakeholders on the Bill

- 5.1 After some discussion, the Chairman proposed and Members agreed to the following:
- i. a call for written submission from the public would be placed in daily newspapers, radio and television stations and social media platforms; and
 - ii. invitations for written submission would be issued to the following stakeholders:
 - a. Trinidad and Tobago Publishers and Broadcasters Association
 - b. Media Association of Trinidad and Tobago
 - c. Faculty of Law University of the West Indies
 - d. University of Trinidad and Tobago
 - e. University of the Southern Caribbean

- f. The Arthur Lok Jack Graduate School of Business
- g. Law Association of Trinidad and Tobago
- h. The Criminal Bar Association
- i. Trinidad and Tobago Police Service
- j. Bloggers Association
- k. American Chamber of Commerce
- l. The Energy Chamber of Trinidad and Tobago
- m. Trade Unions
- n. Internet Service Providers
- o. Bankers Association of Trinidad and Tobago
- p. Telecommunications Authority of Trinidad and Tobago

- 5.2 The Committee agreed to a deadline for receiving comments on the Bill of **Friday June 16th, 2017 at 4:00 p.m.**
- 5.3 The Secretariat was directed to arrange for the publication of an advertisement inviting written submissions.

Election of a Vice-Chairman

- 5.4 The Chairman proposed the election of a Vice-Chairman.
- 5.5 Discussion on the issue ensued and the Committee agreed to defer the matter to the Second Meeting.

Other Matters

- 5.6 The Chair undertook to circulate the following before the Committee's second meeting:
- i. comparative Legislation Examined when drafting the Cybercrime Bill, 2017;
 - ii. the International Model (HIPCAR Model) used when drafting; and
 - iii. comparative of the Cybercrime Bill 2014 and the Cybercrime Bill, 2017, including areas of concern and amendments.

ADJOURNMENT

6.1 There being no other business, the Chairman thanked Members and adjourned the meeting to **Wednesday June 21, 2017 at 10:00 a.m.**

6.2 The adjournment was taken at 12:00 noon.

I certify that these Minutes are true and correct.

Chairman

Secretary

June 5, 2017